

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: By **CHAIRMAN VICKI COCCHIARELLA**, on March 23, 2007
at 9:00 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Vicki Cocchiarella, Chairman (D)
Sen. Joe Balyeat (R)
Sen. Roy Brown (R)
Sen. John Esp (R)
Sen. Verdell Jackson (R)
Sen. Don Ryan (D)
Sen. Frank Smith (D)
Sen. Carolyn Squires (D)
Sen. Donald J. Steinbeisser (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused: Sen. Lane L. Larson (D)

Members Absent: None.

Staff Present: Claudia Johnson, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 785, 3/19/2007; HB 755,
3/19/2007; HB 764, 3/19/2007
Executive Action: HB 764, HB 616

00:01:00 Chairwoman Cocchiarella

HEARING ON HB 785

Opening Statement by Sponsor:

00:02:25 **REP. MICHAEL LANGE (R), HD 55**, opened the hearing on **HB 785**, Exempting certain athletes from workers' compensation.

Proponents:

00:05:13 Wallace Yovetich, Co-Owner of Billings Outlaws, Professional Football Team (Billings Outlaws)

EXHIBIT(bus62a01)

Opponents: None.

Informational Testimony:

00:10:40 Nancy Butler, Montana State Fund (MSF)

Questions from Committee Members and Responses:

00:11:09 Sen. Cocchiarella to Wallace Yovetich, Billings Outlaws

00:13:56 Sen. Esp to Nancy Butler, MSF

00:14:57 Sen. Cocchiarella to Nancy Butler, MSF

Closing by Sponsor:

00:16:09 Rep. Lange

HEARING ON HB 755

Opening Statement by Sponsor:

00:17:42 **REP. JIM KEANE (D), HD 75**, opened the hearing on **HB 755**, Exempt certain gift certificate from abandoned property law.

Proponents:

00:20:34 Brad Griffin, Montana Retail Association (MRA)

00:22:13 Riley Johnson, National Federation of Independent
Business (NFIB)

00:23:29 Web Brown, Montana Chamber of Commerce (MCC)

00:23:53 Bruce Spencer, Montana Automobile Dealers Association
(MDAA)

00:24:43 Ronda Wiggers, Helena and Great Falls Chamber of
Commerce

Opponents:

00:25:52 David Hunter, Deputy Director, Department of Revenue
(DOR)

Informational Testimony:

00:33:35 Cort Jensen, Office of Consumer Protection, Department
of Justice (DOJ)

Questions from Committee Members and Responses:

00:35:16 Sen. Smith to David Hunter, DOR

00:36:52 Sen. Esp to Cort Jensen, DOJ

00:37:25 Sen. Esp to David Hunter, DOR

00:41:43 Sen. Ryan to Rep. Keane

00:44:59 Sen. Cocchiarella to Cort Jensen, DOJ

Closing by Sponsor:

00:48:32 Rep. Keane

HEARING ON HB 764

Opening Statement by Sponsor:

00:50:16 **REP. MIKE MILBURN (R), HD 19**, opened the hearing on **HB 764**, Authorize insurance commissioner to adopt rules protecting military personnel.

Proponents:

00:51:30 Jacqueline Lenmark, American Insurance Association,
American Council of Life Insurers (AIA) (ACLI)

EXHIBIT (bus62a02)

EXHIBIT (bus62a03)

00:55:21 Greg Van Horssen, Montana State Farm Insurance Company

00:56:28 Frank Cote, American Insurance Health Plans

00:56:59 Don Allen, Insurance Financial Advisors Association

00:57:47 Dwight Easton, Farmers Insurance Group

00:58:09 Roger Hagan, Montana Officer and Enlisted Associations
of the National Guard

00:58:50 Patrick Driscoll, Attorney, State Auditor's Office
(SAO)

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:59:36 Sen. Ryan to Rep. Milburn

01:01:29 Sen. Ryan to Jacqueline Lenmark, AIA, ACLI

01:04:41 Sen. Cocchiarella to Jacqueline Lenmark, AIA, ACLI

Closing by Sponsor:

01:05:55 Rep. Milburn

EXECUTIVE ACTION ON HB 764

01:06:59 **Motion:** SEN. TROPILA moved that HB 764 BE CONCURRED
IN.

Discussion:

01:07:08 **Motion/Vote:** SEN. TROPILA moved that CONCEPTUAL
AMENDMENT BE ADOPTED. Motion carried unanimously by
voice vote. SEN. LARSON and SEN. BROWN voted by proxy.

01:07:40 **Motion/Vote:** SEN. TROPILA moved that HB 764 BE CONCURRED IN AS AMENDED. Motion carried unanimously by voice vote. SEN. LARSON and SEN. BROWN voted by proxy.

Discussion:

01:08:04 Sen. Ryan

01:09:06 Sen. Cocchiarella

01:09:28 Sen. Steinbeisser

01:10:18 Sen. Cocchiarella to Pat Murdo, LSD

01:10:34 Sen. Cocchiarella

EXECUTIVE ACTION ON HB 616

01:12:07 **Motion:** SEN. RYAN moved that HB 616 BE CONCURRED IN.

Discussion:

01:12:16 **Motion:** SEN. RYAN moved that AMENDMENT HB061602.APM BE ADOPTED.

EXHIBIT(bus62a04)

Discussion:

01:12:34 Pat Murdo, LSD

01:14:44 **Motion/Vote:** SEN. RYAN CALLED THE QUESTION ON AMENDMENT HB061602.APM. Motion carried unanimously by voice vote. SEN. LARSON and SEN. BROWN voted by proxy.

01:15:00 **Motion:** SEN. RYAN moved that HB 616 BE CONCURRED IN AS AMENDED.

Discussion:

01:15:24 Sen. Balyeat

01:15:52 Sen. Cocchiarella

01:16:02 **Vote:** SEN. COCCHIARELLA CALLED THE QUESTION ON HB 616. Motion carried 8-3 by voice vote with SEN. BALYEAT,

**SEN. ESP, and SEN. BROWN voting no. SEN. LARSON and
SEN. BROWN voted by proxy.**

Discussion:

01:18:05 Sen. Cocchiarella

ADJOURNMENT

Adjournment: 10:35 A.M.

SEN. VICKI COCCHIARELLA, Chairman

CLAUDIA JOHNSON, Secretary

VC/cj

Additional Exhibits:

EXHIBIT ([bus62aad.pdf](#))